

MAR 26 2007

DOCKET NO. 1999.06.003.WS0
U.S. SERIAL NO. 09/197,993
PATENTREMARKS

Claims 26-49 are pending in the application.

Claims 26-49 have been rejected.

Claims 26, 32, 38 and 44 have been amended as set forth herein. Because these amendments place the claims in better condition for allowance or appeal, these amendments comply with 37 C.F.R. § 1.116.

Claims 26-49 remain pending in this application.

Reconsideration of the claims is respectfully requested.

REJECTION UNDER 35 U.S.C. § 103

Claims 26-49 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,222,220 to *Mehta*, (hereinafter "Mehta") in view of U.S. Patent No. 5,535,329 to *Hastings*, (hereinafter "Hastings"). The Applicant respectfully traverses the rejection.

In *ex parte* examination of patent applications, the Patent Office bears the burden of establishing a *prima facie* case of obviousness. MPEP § 2142, p. 2100-133 (8th ed. rev. 4, October 2005). Absent such a *prima facie* case, the applicant is under no obligation to produce evidence of nonobviousness. *Id.* To establish a *prima facie* case of obviousness, three basic criteria must be met: *Id.* First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. *Id.* Second, there must be a reasonable expectation of success. *Id.* Finally, the prior art reference (or references when combined) must teach or suggest all the claim

DOCKET NO. 1999.06.003.WS0
U.S. SERIAL NO. 09/197,993
PATENT

limitations. *Id.* The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. *Id.*

Independent Claims 26 and 38 have been amended to recite restoring the first predetermined value to the first address location, where the stack operation is determined to have corrupted the first predetermined value. The Applicant respectfully submits that neither Mehta nor Hastings teaches restoring a predetermined value to a memory address when a stack operation is determined to have corrupted the predetermined value previously stored to the memory address.

Mehta discloses a method off handling stack related errors in a microprocessor or microcomputer system. *See Mehta, col. 1, lines 6-9.* When an error is detected, Mehta describes implementing a flag or reset sequence, including storing a fault code to let an operator know that a program error has occurred. *See Mehta, col. 2, lines 9-12.*

Hastings describes a method of inserting instructions and data into existing object files to monitor memory accesses by a computer program. *See Hastings, col. 1, lines 26-32.* When a memory access error is detected, the error is signaled. *See Hastings, col. 9, lines 56-61.* An error signaling routine prints a message. *See Hastings, col. 11, lines 63-65, and col. 12, lines 23-30.*

For these reasons, at least, amended independent Claims 26 and 38 are patentable over the cited references. Claims 27-37 and 39-49 depend from Claims 26 and 38, respectively, and include the limitations of their respective base claims. As such, Claims 27-37 and 39-49 are also patentable over the cited references.

MAR. 26. 2007 2:33PM

RECEIVED
CENTRAL FAX CENTER

NO. 0103 P. 12

MAR 26 2007

DOCKET No. 1999.06.003.WS0
U.S. SERIAL NO. 09/197,993
PATENT

SUMMARY

For the reasons given above, the Applicant respectfully requests reconsideration and allowance of the pending claims and that this application be passed to issue. If any outstanding issues remain, or if the Examiner has any further suggestions for expediting allowance of this application, the Applicant respectfully invites the Examiner to contact the undersigned at the telephone number indicated below or at *jmockler@munckbutrus.com*.

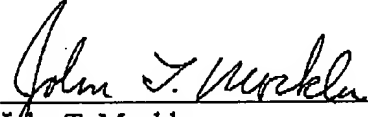
The Commissioner is hereby authorized to charge any additional fees connected with this communication or credit any overpayment to Deposit Account No. 50-0208.

Respectfully submitted,

MUNCK BUTRUS, P.C.

Date: 26 March 2007

P.O. Drawer 800889
Dallas, Texas 75380
Phone: (972) 628-3600
Fax: (972) 628-3616
E-mail: *jmockler@munckbutrus.com*


John T. Mockler
Registration No. 39,775

LSAMS01\00127

-10-